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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/24/07

U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

October 24, 2007

## MEMO ENDORSED

By Fax

Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, N.Y. 10007

Re: United States v. Smith and Taylor  
07 Cr. 972

Dear Judge McMahon:

On Thursday, October 18, 2007, a Grand Jury sitting in this District returned the above-referenced indictment, which charges the defendants in two counts with conspiring to distribute over fifty grams of crack and with distributing over fifty grams of crack. A copy of the Indictment is attached. The Government writes to request that the Court set a date and time convenient to the Court for the arraignment and initial conference, and to request that the time between today and the conference date be excluded from the Speedy Trial clock to permit the Government to make discovery and to permit the parties to discuss a possible resolution of the case. The Government respectfully submits that the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8)(A).

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By: 

Jeffrey A. Brown  
Assistant United States Attorney  
(212) 637-1110

cc: Ira London, Esq.  
Harold Levy, Esq.

10/24/07  
Matter scheduled for  
Arraignment on 11/6/07 at  
9:30 AM. Time Excluded  
through 11/6 in the interest  
of Justice  
